

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Argenta

Application No. 09/026,353

Attorney Docket No.0101-P00636US3

Filed: February 19, 1998

For: WOUND TREATMENT EMPLOYING
REDUCED PRESSURE

Examiner: John P. Lacyk

Group Art Unit: 3736

RECEIVED
AUG 21 2003
TECHNOLOGY CENTER R3700

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this Correspondence is being deposited on the date identified below with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER OF PATENTS, Alexandria, VA 22313-1450

August 15, 2003
Date of Certificate


Cristin Donahue

Commissioner of Patents
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97**

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56,
Applicants are submitting herewith a Form PTO-1449 and a copy of the references
listed thereon.

Applicants respectfully request full and proper consideration of the listed
information during examination of the application, and that the listed information be
printed on any patent that issues therefrom.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN
A Professional Corporation
Attorneys for Applicant(s)

By


Niels Haun

PTO Registration No. 48,488

Telephone: (215) 563-4100

Facsimile: (215) 563-4044

Enclosures - Form PTO-1449

Copies of references listed on PTO - 1449

INFORMATION DISCLOSURE STATEMENT	<i>Complete if known</i>	
	Application Number: 09/026,353	
	Filing Date: February 19, 1998	
	First Named Inventor: Argenta	
	Group Art Unit: 3736	
Examiner Name: John P. Lacyk		RECEIVED AUG 21 2003 TECHNOLOGY CENTER R3700
Attorney Docket Number: 0101-P00636US3		
SHEET 1 OF 5		

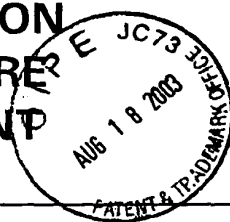
UNITED STATES PATENT DOCUMENTS				
EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR

FOREIGN PATENT DOCUMENTS					
EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
		0620720	Europe	03/18/1998	
		2195255	GB	04/07/1988	

OTHER PRIOR ART - NON-PATENT DOCUMENTS		
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		Banwell P. Withey S, Holten I. The use of negative pressure to promote healing [letter; comment]. Brit J Plast Surg 1998;51:79
		Bier A. "Hyperemia by suction apparatus", Hyperemia as a Therapeutic Agent, Chicago, IL, Roberts Publishing; 1905: 74-85.
		Blackburn J H Boemi L, Hall WW. et al. Negative-pressure dressings as a bolster for skin grafts. Ann Plast Surg 1998; 40: 453-7
		Brock WB, Barker DE, Burns RP. Temporary Closure of open abdominal wounds: the vacuum pack. Amer Surg 1995; 61: 30-5.
		Broome A. Hansson L, Lundgren F, Smedberg S. Open Treatment of Abdominal Septic Catastrophies. World J. Surg 1983; 7: 792-6.
		Brummelkamp WH, Taat CW, Slors JF. High-vacuum drainage and primary perineal wound closure in abdominoperineal excision of the rectum. Netherlands Journal of Surgery 1991; 43: 236-9.
		Defranzo, Anthony J., et al., "Vacuum-Assisted Closure for the Treatment of Degloving Injuries ." Plastic and Reconstructive Surgery 104(7) 2145-48: (1999).
		Fleischmann W, Strecker W, Bombelli M, Kinzl L. [Vacuum sealing as treatment of soft tissue damage in open fractures]. [German] Unfallchirurg 1993; 96: 488-92.

EXAMINER'S SIGNATURE		DATE CONSIDERED	
----------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT			Complete if known	
			Application Number: 09/026,353	
			Filing Date: February 19, 1998	
			First Named Inventor: Argenta	
			Group Art Unit: 3736	
		Examiner Name: John P. Lacyk		RECEIVED AUG 21 2003 TECHNOLOGY CENTER R3700
SHEET 2 OF 5		Attorney Docket Number: 0101-P00636US3		

	Genecov DG, Schneider AM, Morykwas MJ, et al. A Controlled subatmospheric pressure dressing increases the rate of skin graft donor site reepithelialization. Ann Plast Surg 1998; 40: 219-25.
	Greer SE, Duthie E, Cartolano B, Koehler KM, Maydick-Youngberg D, Longaker MT. Techniques for Applying Subatmospheric Pressure Dressing to Wounds in Difficult Regions of Anatomy. JWOCN 1999; 26: 250-3.
	Greer SE, Kasabian A, Thorne C, Borud L, Sims CD, Hsu M. The Use of Subatmospheric Pressure Dressing to Salvage a Gustilo Grade IIIB Open Tibia Fracture with Concomitant Osteomyelitis and Avert a Free Flap. Ann Plast Surg 1998; 41: 687.
	Greer SE, Longaker MT, Margiotta M, Matthews AJ Kasabian A. The Use of Subatmospheric Pressure Dressing for the Coverage of Radial Forearm Free Flap Donor-Site Exposed Tendon Complications. Ann Plast Surg 1999; 43: 551-554.
	Greer SE, Longaker MT, Margiotta M. Preliminary Results from a Multicenter, Randomized, Controlled, Study of the Use of Subatmospheric Pressure Dressing for Pressure Ulcer Healing. Wound Repair and Regeneration 1999; 7: 255.
	Greer, Steven E., "Whither Subatmospheric Pressure Dressing?" the Institute of Reconstructive Plastic Surgery, The New York University Medical Center, New York, NY April Issue of Annals of Plastic Surgery.
	Hartnett, Jacqueline M., "Use of Vacuum-Assisted Wound Closure in Three Chronic Wounds". JWOCN 25 (6) 281-290 (1998).
	Hidden Interest -- A Special report.; When Physicians Double as Entrepreneurs. The New York times. Page 1. November 30, 1999.
	Iankov NI. Simuliatsiia konsolidatsii perelomov nizhnei cheliusti vaktuumnoi terapii. [Stimulation of consolidation of mandibular fractures by means of vacuum therapy] Russian. Stomatologiya 1971; 50: 86, with Eng. Trans.
	Inoiatov IM, Aleksandrov VB. Lechenie promezhnostnoi rany posle amputatsii priamoi kishki vakuu-aspiratsiei. [Vacuum aspiration in the treatment of the perineal wound following extirpation of the rectum]. Russian. Khirurgiya 1971; 47: 74-8, with English Translation.
	Kochnev Va. Primenenie vakuu-drenazhnoi sistemy dlia profilaktiki posleoperatsionnykh ranevykh oslozhnenii u bol'nykh opukholiami. [The use of a vacuum drainage system in the prevention of postoperative wound complications in tumore patients]. Russian. Voprosy Onkologii 1967; 13: 102-5, w/Eng. Trans.
	M.J. Morykwas and L.C. Argenta, "Techniques in Use of V.A.C. Treatment (in English)", Acta Chir. Austriaca Supplement Nr. 150, 1998, p. 3-4.
	McCulloch JM, Kemper CC. Vacuum-Compression Therapy for the Treatment of an Ischemic Ulcer. Physical Therapy 1998; 73: 165-9.

EXAMINER'S SIGNATURE		DATE CONSIDERED	
-------------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

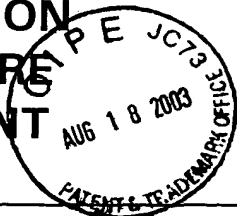
INFORMATION DISCLOSURE STATEMENT	<i>Complete if known</i>	
	Application Number: 09/026,353	
	Filing Date: February 19, 1998	
	First Named Inventor: Argenta	
	Group Art Unit: 3736	
	Examiner Name: John P. Lacyk	
SHEET 5 OF 5	Attorney Docket Number: 0101-P00636US3	

	Meara, John G., et al., "Vacuum-Assisted Closure in the Treatment of Degloving Injuries". <i>Annals of Plastic Surgery</i> 42(6) 589-594 (1999).
	Mendez-Eastman S. Negative pressure wound therapy. <i>Plastic Surgical Nursing</i> 1998; 18: 27-9.
	Mendez-Eastman, Susan., "Use of Hyperbaric Oxygen and Negative Pressure Therapy in the Multidisciplinary Care of a Patient with Nonhealing Wounds". <i>JWOCN</i> 26(2) 67-76 (1999).
	Mendez-Eastman, Susan., "When wounds won't heal". <i>RN</i> 20-24 (1998).
	Mirazimov BM, Vasina TA, Mezhericher MI. Mikroflora dlitel'no nekazhivaiushchikh ran i effektivnost' metoda vakuumirovaniia. [Microflora of prolonged non-healing wounds and the effectiveness of the vacuum evaporative method]. Russian. <i>Khirurgiia</i> 1967; 43: 40-3, with English Translation.
	Mirazimov BM. Svobodnaia Kozhnaie plastika stopy s podgotovkoi ranevoi poverkhnosti vakumiravaniem [Free skin graft of the foot with vacuum preparation of the wound surface]. Russian. <i>Orthopediia Travmatologiia i Prtoezirovanie</i> 1966; 27: 19-22, with English Translation.
	Mirazimov BM. Vorbereitung von Wunden und Geschwuren zur Hautplastik unter Anwendung der Vakuumierung [Preparation of wounds and abscesses for dermatoplasty by means of a vacuum device]. German. <i>Beitrage zur Orthopadie und Traumatologie</i> 1967; 14: 224-30, with Eng. Translation.
	Mirazimov, B.M.: Free Skin Grafting of Wounds and Ulcers using the "Vacuum Treatment" Method. [Citation data not given, pp. 54-58.] with English Trans.
	Molnar, Joseph A., et al., "Single-Stage Approach to Skin Grafting the Exposed Skull". <i>Plastic and Reconstructive Surgery</i> 105(1): 174-177 (2000).
	Morykwas J, Argenta LC. Nonsurgical modalities to enhance healing and care of soft tissue wounds. <i>Journal of the Southern Orthopaedic Association</i> 1997; 6: 279-88.
	Morykwas, Michael J., et al., "Use of Subatmospheric Pressure to Prevent Progression of Partial-thickness Burns in a Swine Model". <i>Journal of Burn Care & Rehabilitation</i> 20 (1 Part 1): 15-21 (1999).
	Morykwas, Michael J., et al., "Use of Subatmospheric Pressure to Prevent Doxorubicin Extravasation Ulcers in a Swine Model". <i>Journal of Surgical Oncology</i> 72: 14-17 (1999).
	Mullner T, Mrkonjic L, Kwasny O, Vecsei V. The use of negative pressure to promote the healing of tissue defects: a clinical trial using the vacuum sealing technique [see comments]. <i>Brit J Plast Surg</i> 1997; 50: 194-9.
	Nakayama et al., <i>Ann Plast. Surg.</i> , 499-502 (1991), "A New dressing Method for Free Skin Grafting in Hands"

EXAMINER'S SIGNATURE		DATE CONSIDERED	
-------------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT



Complete if known

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

Attorney Docket Number: 0101-P00636US3

SHEET 4 OF 5

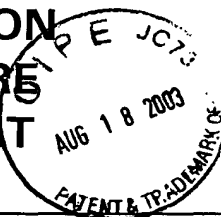
RECEIVED
AUG 21 2003
TECHNOLOGY CENTER R3700

		Nakayama Y, Tomotari I, Soeda S. A New Method for the Dressing of Free Skin Grafts. Plast Reconstr Surg 1990; 86: 1216-1219.
		Netudykhatka O. Vlianie nizkogo dozirovannogo vakuuma na techenie reparativnogo protsessa v kostnoi tkani [Effect of low vacuum on the course of the reparative process in bone tissue]. Russian. Voprosy Kurortologii, Fizioterapii i Lechebnoi Fizicheskoi Kultury 1972; 37: 411-5, w/Eng. Trans.
		Obdeijn, Miryam C., et al., "Vacuum-Assisted Closure in the Treatment of Poststernotomy Mediastinitis". Ann Thorac Surgery 68 2358-60 (1999).
		Philbeck, Thomas E., et al., "The Clinical and Cost Effectiveness of Externally Applied Negative Pressure Wound Therapy in the Treatment of Wounds in Home Healthcare Medicare Patients". Ostomy/Wound Management 45(11) 41-50 (1999).
		Registration Number 1982349. Owner, KCI Inc., 3440 E. Houston Street San Antonio TEXAS 78219. Source: United States Patent and Trademark Office official website. Filing date 05/01/1995 Registration Date 06/25/1996.
		Rosser, Charles J., et al., "A New Technique to Manage Perineal Wounds". Infections in Urology 13(2) 45-47 (2000).
		Sames CP. Sealing of wounds with vacuum drainage [letter] Br Med J 1977;2: 1123
		Saunders, J. W., The Lancet, pp. 1286-1287, June 28, 1952, "Negative-Pressure Device for Controlled Hypotension during Surgical Operations".
		Schneider, Andrew M., et al., "A New and Reliable Method of Securing Skin Grafts to the Difficult Recipient Bed". Plastic and reconstructive Surgery 102(4) 1195-98 (1998).
		Schein M, Saadia R, Jameson JR, Decker GAG. the "sandwich technique" in the Management of the Open Abdomen. Br J Surg 1986; 73: 369-70.
		Teder H, Sanden G, Svedman P. Continuous Wound Irrigation in the Pig. J Invest Surg 1990, 3: 399-407.
		Valenta AL. Using the vacuum dressing alternative for difficult wounds. American Journal of Nursing 1994; 94: 44-5.
		Vatanasapt V, Areemit S, Jeeravipoolvarn P, et al. Red rubber bulb, cheap and effective vacuum drainage. Journal of the Medical Association of Thailand 1989; 72: 193-7.
		Volkov LA. Ispol'zovanie vakuum-drenazhnoi sistemy v khirurgicheskoi praktike. [Use of vacuum-drainage system in surgical practice]. Russian. Klinicheskaiia Khirurgiia. 1973;7: 54-55, with English Translation.
		Smith LA, Barker DE, Chase CW, et al. Vacuum Pack Technique of Temporary Abdominal Closure: A Four-Year Experience. Amer Surg 1997; 63: 1102-8.
		Notice of Opposition to European Patent Number 0688189 dated June 12, 2001

EXAMINER'S SIGNATURE		DATE CONSIDERED	
-------------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT



Complete if known

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

Attorney Docket Number: 0101-P00636US3

SHEET 5 OF 5

RECEIVED
AUG 21 2003
TECHNOLOGY CENTER-R3700

Letter Supplemental to Notice of Opposition to European Patent Number 0688189 dated November 12, 2002

Interlocutory decision in Opposition proceedings in favor of patentee (Wake Forest -- Argenta, et al.) Dated: February 17, 2003

Opposer's Appeal from Interlocutory decision - Dated: July 4, 2003

EXAMINER'S
SIGNATURE

DATE
CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.